**Minutes of Combat Sports Authority of Maine**

Meeting convened:

Date: 06/06/2016 Time: 5:09pm Location: Westbrook Community Center, Westbrook, ME

Presiding: Kenneth Curtis, Chair

Members Present: Chris Greeley, Jon Pinette, Chris Guild, Bill Bouffard, Marc Fournier

Members Absent: Dr. Kevin Price

Guests Present: Nick DiSalvo, David Greenwood, Matt Peterson

Quorum Present: six members

Assistant Attorney General, James M. Bowie present

Approval of Minutes:

 Motion made by Chris Guild and seconded by Bill Bouffard to approve minutes of 4/04/2016.

Motion carried. Unanimous.

 Motion made by Chris Guild to approve minutes for 5/2/2016; seconded by Bill Bouffard

Motion carried. Unanimous.

 Officers’ Reports:

 Treasurer’s report: $36,545.11 in Treasury. Motion made by Bill Bouffard to accept treasurer’s report. Seconded by Chris Guild.

Motion carried. Unaninmous.

1.) Subject: Complaint Officer

Status of Complaints

 Jim Schwellenbach, was chosen from a list of attorneys Ken Curtis has received from Assistant Attorney General Chris Leighton to hear complaints. If Assistant Attorney General Jim Bowie communicates with him, he’ll give Ken Curtis a copy. The hearing date will be set after the investigation is completed. Once completed, the date, time, identifying hearing officer and others representing, logistical problems, etc. of hearing will be set. A discussion about the hearing must be recorded in order to be easily transcribed. Persons will have a right to appeal an adverse result at hearing. The judge will want an actual copy of tape/cd and transcription. Judge relies on facts and transcripts.

Question arose about court expenses. Assistant Attorney General Jim Bowie stated that we can turn all expenses on to the complainant if they lose the case.

Complainant has right to be present at hearing. We don’t name the individual aloud. Assistant Attorney General Jim Bowie stated that an executive session is not appropriate in this case. Chris Greeley questioned if he should recuse himself, if he knows one of the complainants. Assistant Attorney General Jim Bowie informs that Chris Greeley could consider whether it is necessary for him to recus himself at the hearing under guidance from the hearing officer.

Assistant Attorney General Jim Bowie informs us that the investigation is going on. He suggested that everyone possible should be there at the hearing.

2.) Subject: New Officers

A meeting is necessary in July to get back on track with the obligation of electing officers the first week in July. July 11, 2016 meeting set up.

**Unfinished Business**:

1.) Resolve Toe-to-Toe recount

Ken Curtis explained the circumstances of the delay in the final counting. Ken counted stubs as he had no interest in commission at that time. Prior Acting Chair gave Ken permission to count them. Jon Pinette has communicated with Toe-to-Toe representative and September 15, 2016 has been settled.

2.) Bill Bouffard will send by-laws and information about the CSAM to Chris Greeley, new member.

3.) Assistant Attorney General Bowie’s communication with Peter Bouchard:

Ken Curtis read an email (attached) he sent to Peter Bouchard of 5/13/2016 regarding his status on the Commission. Peter Bouchard has not responded. Peter Bouchard shut down CSAM’s website and all email passwords. Peter Bouchard has not returned his Commission badge or the control of CSAM’s domain. Commission discussed asking Mr. Bouchard for all he has that belongs to CSAM.

No vote required.

4.) Contracts for Bernadette Curtis and Malinda McKinnen

Assistant Attorney General Jim Bowie will have contracts for them at the next meeting (July 11, 2016).

5.) Required Yearly Reports for State of Maine

a.) There are several CSAM reports that must be submitted. They were due May 2016. CSAM’s budget has not been submitted since 2/20/12.

b.) A discussion arose about a book that lists all reports due from CSAM in July/August. We need to amend last year’s guidelines regarding our financial situation for the year’s information/reporting.

c.) Ken Curtis will submit our Board report to our State leaders.

d.) FY16 Report (Fiscal Year Report). We need access to all minutes from all meetings to have them available. No need for financial reporting on this because we do not receive money from the State. Bill Bouffard will do clerk report.

6.) CSAM reimbursement due dates (May 31, August 31, November 30, and February 29)

 a). Submit receipts to Treasurer Jon Pinette at CSAM monthly meeting following due dates.

 b). Include where you are traveling to/from, mileage, dates. Members are compensated $35/meeting, plus mileage (per diem per mile---$.44).

7.) Sharing of Members

a.) Bill Bouffard suggested we send a representative to Las Vegas for the Annual Association of Boxing Commissions Convention, July 31 – August 4, 2016 . Ken Curtis presented estimate for travel expenses/costs. Ken made contact with someone in Nevada State Athletic Commission who answered many questions about commissioners, inspectors, judges, etc. Ken has been invited to check in with their headquarters.

Bill Bouffard made motion to send Ken Curtis to Las Vegas for up to $2,000.00 expenses; seconded by Marc Fournier.

Motion carried. Unanimous.

b.) Chris Greeley shared that his corner man license has expired.

**New Business**:

1.) Subject: NEF reimbursement for inspector’s fee. Ken Curtis shared listing from Las Vegas Commission of those states that do and do not pay inspectors. Weigh-ins, inspectors, deputies, etc. pays are listed out.

Nick DiSalvo discussed the legal issue: There used to be a set of rules that had the provision that required the promoter to pay for the inspector. Those rules were adopted by the Commission and passed through the Legislator. Any bill that the public has to pay approval for, the fee must go through the Legislator. Rules that were placed on the promoter were removed from new rules and adopted by the Commission. Since the September 2014 show, Nick DiSalvo feels they should not have to pay any inspector fees—that the Commission mistakenly charged the promoter. NEF stated that even though they didn’t have a responsibility to pay inspectors, they did because the Commission told him to do so.

There is a statute that does give this board a power to contract with its own staff. Board can hire its own staff to assist at an event.

Taking these two points together, Nick DiSalvo says his stance is that the Board was in a position to pay the inspectors. He did not have an obligation to pay and he should be reimbursed $11,800.00.

Bill Bouffard gave the background on this: When we started CSAM, we didn’t have money to pay anything. Bill researched and found information to be really vague. The rule is not there anymore.

Nick DiSalvo stated there were two members we did pay as inspectors that would have to recuse themselves from vote (Marc Fournier and Ken Curtis).

Assistant Attorney General Jim Bowie asked if this is the same situation with other promoters. Other promoters did the same (paid their inspectors). Nick DiSalvo stated that there is no provision in the boxing rules for such.

Assistant Attorney General Jim Bowie stated that not knowing the law is referred to as a mutual mistake in law—mutual mistake of fact. There is a law on contract on Mutual Mistake of Law. Assistant Attorney General Jim Bowie was asked to find legalities regarding reimbursement to NEF and give us his legal opinion of this issue. If it comes down that we are not obligated, perhaps we negotiate it.

Marc Fournier asked Nick DiSalvo when the concern came up for him. Nick DiSalvo shared that he was reading the statute and found a paragraph missing.

Assistant Attorney General Jim Bowie was asked to check if we can pay inspectors directly after taking 5% of the show. This would mean CSAM cutting a check at the time/place of the event.

Motion made by Bill Bouffard that CSAM pay the inspectors at the next fight (NEF #24) on June 18th.

Chris Guild seconded motion.

5 favor; 1 opposed

Motion carried.

2.) Subject: Form committees to review and update MMA, Boxing, & Kickboxing rules

Discussion: Kickboxing is a combination of Eastern Martial Arts striking and Western Boxing. CSAM needs to find what can legally be done for martial arts and kickboxing. Our jurisdiction is boxing and mixed martial arts at this time.

NEF is concerned how their insurance may be affected by unregulated events.

If we cannot do anything legally, what’s the next thing we can do. How do we stop a promotion of Kickboxing, if they advertise and do not come through CSAM.

Can we make a regulation that we are going to regulate kickboxing and establish rule.

Question was asked what is the legal authority of this Board? Once we know, we know what we can do.

ABC oversees kickboxing and they have to report the injuries. They do not report to the ABC database the results of the kickboxing. Bill Bouffard will contact them tomorrow to ask how they handle Kickboxing. Massachusetts and NH regulate kickboxing with its own set of rules, for example. Assistant Attorney General Jim Bowie stated that before adopting rules, we have to change the statute.

3.) Subject: Review and approve NEF 24card for 6/18

 a.) Bill Bouffard voted to approve the card; motion seconded by Jon Pinette

Motion Approved. Unanimous.

 b.) Attending Friday and Saturday night weighs-in and fight:

 Jon Pinette, Ken Curtis, Bill Bouffard, Marc Fournier, Chris Guild.

4). Subject: CSAM data/information/files. Jon Pinette will bring all information he has been storing for CSAM to distribute to all members to put in their care.

5). Subject: Scheduling boxing officials and referees

David Greenwood—for this particular show—was asked by Ken Curtis to produce a list of possible officials. Promoter came up with a list and submitted to CSAM. Dave Greenwood asked to submit the list we use as he had already called everyone for this event. If he is the one to select officials, they need to be used in the next shows. He would like to be the one who selects officials for boxing events.

Concern was mentioned about being comfortable with Dave’s request as it is seen as a conflict of interest because of Dave Greenlaw’s connection with many gyms.

NEF questioned why is CSAM required to fill out a list of officials, if someone else is doing a list.

CSAM needs to come up with a list that the promoters select officials from (Certified by the Commission). Rules state that the promoters select officials for MMA and Boxing officials.

Question arose of who selects the officials—promoters or David Greenwood.

Motion by Bill Bouffard to accept officials from NEF for boxing. Seconded by Chris Guild.

2 obstained; 1 opposed; 3 in favor.

Motion carried.

6) Subject: MMA Officials

Jon Pinette motioned to accept MMA officials. Motion seconded by Chris Guild.

Motion carried. Unanimous.

7.) Subject: Reporting of Event Results. Event results to be reported by Bill Bouffard.

8.) Subject: Commissioner Badges—Location of all badges

 a.) Ken Curtis contacted Deron Barton for his badge. Kevin Price has his badge. David Greenwood turned his in tonight.

b.) There were 7 badges. We will take inventory at next meeting. Assistant Attorney General Jim Bowie will contact Peter Bouchard for his badge.

9.) Subject: CSAM webite and email

a.) Bill Bouffard shared what he has done with the new website.

b.) Email address is now available for members to use. When emailing outside of this Board, log into the CSAM account and mail from there. Email address: combatsportsmaine@yahoo.com.

c.) Assistant Attorney General Jim Bowie will get CSAM’s email passwords, domains, other CSAM information that Peter Bouchard has.

10.) Subject: Public Records of Fights. Assistant Attorney General Jim Bowie stated that all information we gather from fights is public record.

11.) Subject: Freedom of Access Law complaint by Nick DiSalvo

a.) Nick DiSalvo wants a decision regarding the Freedom of Access Law as soon as possible. He would like an estimate of time when this response is going to be made. Commission discussed work involved.

 b.) Question arose as to where CSAM records of all fight cards relating to all events since 2012 are located. Make list of events and list each events’ promoters involved, go through records looking for stubs and then the communication. If something is not there, write it down. Jon Pinette keeps them all.

c.) Assistant Attorney General Jim Bowie states we must come up with a plan for the Freedom

off Access Law requirements. We are obligated to keep all records. We can give to them electronically but, if they want hard copy, you have to print it out for them

d.) Nick DiSalvo withdrew his request.

12.) Subject: Corner Men at Bouts

a.) Discussion: some corner men are not attending event to work; they enter show only to be a spectator.

b.) Suggestions made: possibly putting a band on wrists of corner men. It was suggested that an announcement be made at event. Let them know they are being watched.

13.) Subject: Inspectors for June 18, 2016 event. Marc Fournier to appoint inspectors for next event on 6/18.

**Reminder**: Meeting on first Monday of every month and Monday following promotion/venue, if necessary. One week prior to promotion also possible. Due to July 4th Monday holiday, our **next meeting is scheduled for July 11, 2016.**

Meeting Adjourned at: 7:48pm

Bill Bouffard made motion to adjourn meeting. Motion seconded by Chris Guild.

Motion carried. Unanimous.

Submitted by: Bernadette W. Curtis, Secretary Approved on: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_